

**STATE OF INDIANA – FAYETTE COUNTY
IN THE CIRCUIT AND SUPERIOR COURT**

Notice of Proposed Amended Local Rule, Finding Good Cause to Deviate From
Established Schedule, Requesting Comments and Supreme Court Approval
July 1, 2014

The judges of the Fayette Circuit Court and Fayette Superior Court, pursuant to Trial Rule 81(B), give notice of a proposed **amended local court rule** concerning **Criminal Case Assignments** at **LR21-CR2.2-CR-3** and find good cause to deviate from the schedule for amending local rules under Trial Rule 81(D). All new text is shown by underlining and deleted text is shown by ~~striketrough~~. Supreme Court approval is required for the proposed amended rule.

Notice will be given to the public by posting with the Fayette County Clerk and on the Indiana Judicial Website, and by furnishing a copy to the officers of the Fayette County Bar Association.

Comments may be made until **July 30, 2014** to Judge Ronald T. Urdal, Fayette Superior Court, 401 N. Central Avenue, Connersville, IN 47331, or by email to ronurdal@co.fayette.in.us.

This new rule amendment will be effective retroactive to **July 1, 2014**.

DATED this 1st day of July, 2014.

_____/S/_____
Ronald T. Urdal, Judge
Fayette Superior Court

_____/S/_____
Beth Ann Butsch, Judge
Fayette Circuit Court

LR21-CR2.2-CR- 3 CASE ASSIGNMENT

Prior to July 1, 2014:

The following criminal cases shall be filed in the Fayette Circuit Court: any C felony or higher and Neglect of a Dependent, Non-Support of a Dependent unless the support obligation is the result of an order issued by the Fayette Superior Court, Failure to Appear if the failure was in the Fayette Circuit Court, D felony violations of Indiana Code 35-42-4, 35-44-3-5 and 35-43-2-1.5 and all offenses filed with them, with the following exceptions: Habitual Traffic Offenders.

All other offenses and infractions shall be filed in Fayette Superior Court.

Subsequent to July 1, 2014:

The following cases will be filed in the Fayette Circuit Court:

Murder and level 1 – 5 felony offenses and Neglect of Dependent charges with the exception that Habitual Traffic Offender and Non-Support of a Dependent Child charges shall be filed in the Fayette Superior Court.

The following cases will be filed in the Fayette Superior Court:

All level 6 felonies except Neglect of a Dependent Habitual Traffic Offender Non-Support of a Dependent Child, all misdemeanors and infractions and all other offenses.

Notwithstanding the above all cases where either the defendant, a co-defendant, the alleged victim or material witness is a person who falls within the third degree of relationship of the presiding judge or the presiding judge's spouse shall be assigned to the other Court. Should it be discovered after the case is filed that the case should have been filed in the other court, the case shall be transferred to the other court or reassigned to the other judge as special judge.